

AO 88B (Rev. 02/14) Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action

UNITED STATES DISTRICT COURT

for the
Northern District of Ohio

Miller, et al.

Plaintiff

v.

Anderson, et al.

Defendant

Civil Action No. 5:20-cv-01743-JRA

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES IN A CIVIL ACTION

To: Partners for Progress
c/o Fritz E. Berckmueller, Esq.
1405 East Sixth Street
Cleveland, Ohio 44114-1607

(Name of person to whom this subpoena is directed)

☒ **Production:** YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and to permit inspection, copying, testing, or sampling of the material:

See Exhibit A

Place: Tucker Ellis LLP
950 Main Avenue, Suite 1100
Cleveland, Ohio 44113-7213

Date and Time: January 7, 2022

☐ **Inspection of Premises:** YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:

Date and Time:

The following provisions of Fed. R. Civ. P. 45 are attached – Rule 45(c), relating to the place of compliance; Rule 45(d), relating to your protection as a person subject to a subpoena; and Rule 45(e) and (g), relating to your duty to respond to this subpoena and the potential consequences of not doing so.

Date: 12/9/2021

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

/s/ John F. McCaffrey

Attorney's signature

The name, address, e-mail address, and telephone number of the attorney representing (name of party) Michael J. Dowling
John F. McCaffrey, 950 Main Avenue, Suite 1100, Cleveland, Ohio 44113-7213; , who issues or requests this subpoena, are:
john.mccaffrey@tuckerellis.com; (216) 896-3486

Notice to the person who issues or requests this subpoena

If this subpoena commands the production of documents, electronically stored information, or tangible things or the inspection of premises before trial, a notice and a copy of the subpoena must be served on each party in this case before it is served on the person to whom it is directed. Fed. R. Civ. P. 45(a)(4).

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Civil Action No. 5:20-cv-01746-JRA

PROOF OF SERVICE*(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)*

I received this subpoena for *(name of individual and title, if any)* PARTNERS FOR PROGRESS C/O FRITZ E. BERCKMUELLER, ESQ.
 on *(date)* 12/9/2021

☒ I served the subpoena by delivering a copy to the named person as follows: SERVICE WAS EFFECTED BY
DELIVERING A COPY OF THE SUBPOENA TO MARIE SANTANA, SECURITY FOR FRITZ E. BERCKMUELLER, ESQ.
AT 1405 EAST SIXTH ST., CLEVELAND OH 44114 on *(date)* 12/13/2021 2:28 PM ; or

☐ I returned the subpoena unexecuted because: DESCRIPTION: 37/WF/5'4/150/RED HAIR/GLASSES

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
 tendered to the witness the fees for one day's attendance, and the mileage allowed by law, in the amount of
 \$ _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00

I declare under penalty of perjury that this information is true.

Date: 12/14/2021


 Server's signature

BENJAMIN PURSER, PROCESS SERVER
 Printed name and title

221 SPRINGSIDE DR. AKRON OH 44333
 Server's address

Additional information regarding attempted service, etc.:

12/13/2021 2:29 PM Security called Fritz directly. He said that he was busy and couldn't come down at the time but asked that I please leave the documents with security and he would come down to get them just as soon as he could.

12/10/2021 4:15 PM Attempted service at 1405 EAST SIXTH STREET, CLEVELAND, OH 44114, most everyone has left for the day. I spoke with a man named Dominic. He tried to call Fritz's but could not reach him. He said I'd have to come back because no one is authorized to accept service on Fritz's behalf

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